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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/616,091	07/08/2003	Mark Davis	1070P3821	9656

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EXAMINER	
ZHOU, TING	

ART UNIT	PAPER NUMBER
2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/616,091	DAVIS, MARK	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 September 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9-17 and 19-41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 9-17 and 19-41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. The Request for Continued Examination (RCE) filed on 17 September 2007 under 37 CFR 1.53(d) based on parent Application No. 10/616,091 is acceptable and a RCE has been established. An action on the RCE follows.

2. The amendments filed on 15 August 2007, submitted with the filing of the RCE have been received and entered. Claims 1-7, 9-17 and 19-41 are pending in the application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-7, 9-17 and 19-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dyszel (Handspring Visor for Dummies) and Microsoft® Windows Version 5.1, copyright 2001 (hereinafter "Windows") (screenshots 1-8).

Referring to claim 1, Dyszel teaches a method of displaying calendar information comprising displaying a weekly view graphical image on a display screen (i.e. see Fig. 8-3, p. 121), wherein said weekly view graphical image comprises days of the week and appointment icons therein (i.e. the columns represent the days of the week and bars in the columns represent appointment icons, see Fig. 8-3, p. 121); visually highlighting appointment icons in response to

user navigation input (i.e. by tapping on the interface, see p. 122); in response to a user selection of a first highlighted appointment icon, automatically displaying a preview window comprising details of said first highlighted appointment icon on said display screen (i.e. see top of Fig. 8-4, p. 122), wherein said preview window is displayed simultaneously with said weekly view graphical image which remains user accessible while said preview window is open (i.e. see Fig. 8-4, p. 122). However, although Dyszel teaches removal of a preview window (i.e. in Fig. 8-3, since there is no selected block, there is no preview window, see p. 121), Dyszel fails to explicitly teach removing the preview window in response to a user selection outside of the preview window while the preview window is open. Windows teaches a graphical user interface (Screenshot 2) similar to that of Dyszel. In addition, Windows further teaches removing a window in response to user selection outside of the window while the window is open (Screenshot 3 shows the display of a context menu window; when the user clicks outside the menu window when the window is open as shown in Screenshot 3, the menu window automatically disappears and the screen returns to the original display shown in Screenshot 2). It would have been obvious to one of ordinary skill in the art having the teachings of Dyszel and Windows before him at the time the invention was made, to modify the removal of the preview window displaying details of appointments icons of Dyszel to include the removal of windows via selection outside of the window, as taught by Windows. One would have been motivated to make such a combination in order to display only information that are pertinent to the user/essential to the user's current focus of attention and/or working environment; this prevents the screen from being cluttered with non-critical information, thereby preserving screen space.

Referring to claim 22, Dyszel teaches a method of displaying calendar information comprising displaying a monthly view graphical image on a display screen, wherein said monthly view graphical image comprises days of the month and appointment icons therein (see Fig. 8-5 with boxes in the day representing appointments in that day, p. 123); visually highlighting days in response to user navigation input (the 7th is highlighted, see Fig. 8-5, p. 123). Dyszel does not explicitly teach in response to a user selection of a first highlighted day, automatically displaying a preview window comprising details of appointments of said first highlighted day on said display screen, wherein said preview window is displayed simultaneously with said view graphical image which remains user accessible while said preview window is open. However, it would have been obvious to one of ordinary skill in the art, having the teaching of Dyszel before him at the time the invention was made, to modify the weekly view graphical image with previews (see p. 121- 122) as taught by Dyszel to include using previews in a monthly view. One would have been motivated to make such a combination in order to simultaneously preview a selected day in a calendar with a summary of appointments of that selected day (see p. 122 and 123). Furthermore, although Dyszel teaches removal of a preview window (i.e. in Fig. 8-3, since there is no selected block, there is no preview window, see p. 121), Dyszel fails to explicitly teach removing the preview window in response to a user selection outside of the preview window while the preview window is open. Windows teaches a graphical user interface (Screenshot 2) similar to that of Dyszel. In addition, Windows further teaches removing a window in response to user selection outside of the window while the window is open (Screenshot 3 shows the display of a context menu window; when the user clicks outside the menu window when the window is open as shown in Screenshot 3, the menu window

automatically disappears and returns to the original display shown in Screenshot 2). It would have been obvious to one of ordinary skill in the art having the teachings of Dyszel and Windows before him at the time the invention was made, to modify the removal of the preview window displaying details of appointments icons of Dyszel to include the removal of windows via selection outside of the window, as taught by Windows. One would have been motivated to make such a combination in order to display only information that are pertinent to the user/essential to the user's current focus of attention and/or working environment; this prevents the screen from being cluttered with non-critical information, thereby preserving screen space.

Referring to claims 2 and 23, Dyszel, as modified, teach the user navigation is obtained from a 5-way navigation tool (the Windows GUI is controlled by a keyboard that comprises a 5-way navigation tool, i.e. left/right, up/down and "Enter" keys from the keyboard; an exemplary virtual keyboard is shown in Screenshot 4).

Referring to claims 3 and 24, Dyszel, as modified, teach the user selection is obtained from said 5-way navigation tool (the Windows GUI is controlled by a keyboard that comprises a 5-way navigation tool, i.e. left/right, up/down and "Enter" keys from the keyboard; an exemplary virtual keyboard is shown in Screenshot 4).

Referring to claims 4 and 25, Dyszel, as modified, teach the 5-way navigation tool comprises a selection button and four cursor directional buttons (the Windows GUI is controlled by a keyboard that comprises a 5-way navigation tool, i.e. left/right, up/down and "Enter" keys from the keyboard; an exemplary virtual keyboard is shown in Screenshot 4).

Referring to claim 5, Dyszel teaches the user input is obtained from tactile interaction with a digitizer of said display screen (i.e. the screen supports tactile interaction by tapping, see p. 15).

Referring to claims 6 and 27, Dyszel, as modified, teach the display screen is switchable between a small display mode which is substantially square in shape (i.e. Fig. 8-3 shows a square shape display, see p. 121, 'Dyszel), and a tall display mode which is substantially rectangular in shape (Screenshots 5-6 show the transition/switch between a small display mode that is substantially square in shape, as shown in Screenshot 5, to a tall display mode which is substantially rectangular in shape, as shown in Screenshot 6).

Referring to claim 7, Dyszel teaches in response to a user navigation to a second highlighted appointment icon, automatically updating said preview window to display details of said second highlighted appointment icon on said display screen (i.e. clicking on another bar will present information about the other bar, see p. 121).

Referring to claim 9, Dyszel, as modified, teach removing the preview window in response to a user selection while the preview window is open (Screenshot 3 shows the display of a context menu window; when the user clicks outside the menu window when the window is open as shown in Screenshot 3, the menu window automatically disappears and returns to the original display shown in Screenshot 2).

Referring to claims 10 and 20, Dyszel, as modified, teach highlighting days of the week (i.e. see Fig. 8-4 where 9/10 is selected, 'Dyszel) and highlighting appointments within a highlighted day (i.e. by clicking on a block representing an appointment, see Fig. 8-4, 'Dyszel), in response to left/right and up/down navigation, respectively (the left/right and up/down cursor

keys are used for navigation throughout the Windows GUI; an exemplary virtual keyboard is shown in Screenshot 4).

Referring to claims 11, 15, 17 and 19, claims 11, 15, 17 and 19 differs from claim 1, 5, 7 and 9 only in that claims 11, 15, 17 and 19 are a system type claims with memory (see p. 208) and processor (see line 4, p. 13) on a bus where as claims 1, 5, 7 and 9 are method claims. Thus, claims 11, 15, 17 and 19 are analyzed as previously discussed with respect to claims 1, 5, 7 and 9 above.

Referring to claims 12, 13, 14, and 16, claims 12, 13, 14, and 16 differs from claim 2, 3, 4, and 6 only in that claims 12, 13, 14, and 16 are a system type claims with memory (see p. 208, 'Dyszel) and processor (see line 4, p. 13, 'Dyszel) on a bus where as claims 2, 3, 4, and 6 are method claims. Thus, claims 12, 13, 14, and 16 are analyzed as previously discussed with respect to claims 2, 3~ 4, and 6 above.

Referring to claim 21, Dyszel, as modified, teach the display screen comprises a collapsible active input area for enlarging the effective area of said display screen (the window display screen can be collapsed, as shown by the collapsed state of the "Document3" window of Screenshot 7, or maximized to full size, as shown by Screenshot 8).

Referring to claim 26, Dyszel teaches the user input is obtained from tactile interaction with a digitizer of a said display screen (i.e. the screen supports tactile interaction by tapping, see p. 15).

Referring to claim 28, Dyszel teaches in response to a user navigation to a second highlighted day, automatically updating said preview window to display details of appointments

of said second highlighted day on said display screen (i.e. clicking on another bar will present information about the other bar, see p. 121).

Referring to claim 29, Dyszel teaches displaying a full day view of said first highlighted day in response to a user selection provided said preview window is already open (i.e. tapping on a day in Month view will display the Day view for that day, see p. 123).

Referring to claim 30, Dyszel teaches displaying a full day view of said second highlighted day in response to a user selection provided said preview window is already open (!.e. tapping on a day in Month view will display the Day view for that day, see p. 123).

Referring to claims 31 and 41, Dyszel, as modified, teach highlighting days of the month across a common row (i.e. see Fig. 8-5 where the 7th is selected, 'Dyszel); and highlighting days of the month across a common column within-a highlighted day (i.e. by clicking on a block representing an appointment, see Fig. 8-4, 'Dyszel), in response to left/right and up/down navigation, respectively (the left/right and up/down cursor keys are used for navigation throughout the Windows GUI; an exemplary virtual keyboard is shown in Screenshot 4).

Referring to claims 32, 36, 38, 39, and 40, claims 32, 36, 38, 39, and 40 differs from claim 22, 26, 28, 29 and 30 only in that claims 32, 36, 38, 39, and 40 are a system type claims with memory (see p. 208, 'Dyszel) and processor (see line 4, p. 13, 'Dyszel) on a bus where as claims 22, 26, 28, 29 and 30 are method claims. Thus, claims.32, 36, 38, 39, and 40 are analyzed as previously discussed with respect to claims 22; 26, 28, 29 and 30 above.

Referring to claims 33, 34, 35, and 37, claims 33, 34, 35, and 37differs from claim 23, 24, 25, 27 only in that claims 33, 34, 35, and-37 are a system type claims with memory (see p. 208, 'Dyszel) and processor (see line 4, p. 13, 'Dyszel) on a bus where as claims 23, 24, 25, 27 are

method claims. Thus, claims 33, 34, 35, and 37 are analyzed as previously discussed with respect to claims 23, 24, 25, 27 above.

Response to Arguments

4. Applicant's arguments filed 15 August 2007 have been fully considered but they are not persuasive:

5. The applicant argues that Windows is not applicable as prior art because the current version of the Windows operating system cannot be assigned the copyright date; the applicant states that there is no indication that the screenshots were taken before the filing date of 07/08/2003 and that the features of the Windows operating system have changed and evolved over the 20 year copyright period of 1981-2001. The examiner respectfully disagrees. The screenshots were based on Version 5.1 of Windows, therefore all the features of the Windows system used in the screenshots are features that are available under Version 5.1; version 5.1 has a copyright date of 2001, as shown in Screenshot 1; therefore, the features relied upon in the screenshots, which are features of version 5.1 of the Windows system, have a reference date of 2001. In view of the above arguments, the examiner respectfully maintains that Windows is applicable as prior art.

6. Furthermore, the applicant also argues that Windows and Dyszel fail to teach or fairly suggest a 5-way navigation tool, which is a specific type of button commonly used on mobile electronic devices and that a computer keyboard does not disclose a 5-way navigation tool. The

examiner respectfully disagrees. The specification of the instant application recites: 'The five-way navigation button comprises "up" button 205, "down" button 206, "left" button 207, "right" button 208 and "pick," or "select," button 209' (page 18, line 2-4). Windows teaches that the graphical user interface is controlled by a keyboard that comprises a 5-way navigation tool, i.e. the left/right, up/down and select, or "Enter" keys from the keyboard, as shown by the keyboard of Screenshot 4 for example; therefore, the keyboard shown in Screenshot 4 is a five-way navigation tool that comprises an "up" button , or arrow, "down" button, "left button", "right" button and pick or "Enter" button. In view of the above arguments, the examiner respectfully maintains that the combination of Windows and Dyszel disclose all the elements of the claimed subject matter.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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